Proposal No. 2 7 - 2 4 0

Proposal for Task Force Consideration at the ISSC 2027 Biennial Meeting *(Tab to go to next field)*	1. a. ☐ Growing Area b. X Harvesting/Handling/Distribution c. ☐ Administrative
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9. Proposal Subject	Emergency Notification
10. Specific NSSP Guide Reference	Section II Model Ordinance; Chapter X. General Requirements for Dealers, Chapter VIII. Control of Shellfish Harvesting
11. Text of Proposal/ Requested Action	Chapter X. General Requirements for Dealers .03 Other Model Ordinance Requirements A. Each dealer shall comply with the requirements specified in Chapter XI. .03, Chapter XII. .03, Chapter XIII. .03, Chapter XIV. .03, and Chapter XV. .03 that are appropriate to the plant and the food being processed. However, monitoring and record keeping for these conditions and practices is not required, unless specifically stated. B. Recalls. (1) Dealers shall adopt written procedures for conducting recalls of adulterated or misbranded shellfish products, including shellfish affected by the situations outlined in Chapter X. .03 D., as appropriate. These written procedures for conducting recalls shall be based on, and complementary to, the FDA Enforcement Policy on Recalls, CFR Title 21, Chapter 1, Subchapter A., Part 7-Enforcement Policy, (NSSP Guide for the Control of Molluscan Shellfish, Federal Regulations). (2) Dealers shall follow their written recall procedures to include timely notification of the Authority of a situation requiring recall, timely notification of consignee who received the affected product, and effective removal or correction of the affected product. C. Each dealer shall report harvest quantities by species to the Authority. The reporting shall be at a frequency not to exceed monthly. Should the State choose to collect production data from harvesters, certified dealers are exempt from this requirement to avoid double counting. D. Dealers shall notify the Authority within 24 hours and immediately implement measures as necessary to protect shellfish from contamination and loss of temperature control when shellfish that are or were in their possession are affected by events indicating a significant risk of illness or significant non-compliance with the requirements in this Ordinance, including: (1) Deviations from critical limits and other critical deficiencies for which appropriate corrective action is not or cannot be taken; (2) Non-compliance with requirements for temperature control and mechanical refrigeration failures for which appropriate corrective action is not or cannot be taken;

	(3) Failures of equipment critical to food safety for which appropriate corrective action is not or cannot be taken; (4) Flooding, fires, or electrical power outages at shellfish processing facilities; (5) Spills of sewage, poisonous or deleterious substances, or other contaminants into growing areas; and (6) Situations that may warrant product recall. Chapter VIII. Control of Shellfish Harvesting .01 General A. Each harvester shall have a valid license, and a special license if necessary, in his possession while engaged in shellstock harvesting activities. B. Each harvester shall obtain Authority approved training at an interval to be determined by the Authority not to exceed five (5) years. The training shall include required harvest, handling, and transportation practices as determined by the Authority. A harvester shall be allowed ninety (90) days following initial licensing to obtain the required education. (1) A harvester shall obtain proof of completion of the required training. Proof of training obtained by the harvester shall be presented to the Authority prior to certification, recertification, or licensing. (2) At a minimum, one (1) individual involved in the shellfish operations shall obtain the required training. C. Persons who are working in a boat crew under the supervision of a licensed harvester need not have a valid harvester's license. D. In the case of riparian or leased land, unless the riparian owner or lessee employs a licensed harvester, the riparian owner or lessee shall be licensed as a harvester prior to harvesting his shellstock. A licensed riparian owner or lessee may employ unlicensed harvesters to work his property or lease. E. Each harvester shall report harvest quantities by species to the Authority. The reporting shall be at a frequency not to exceed monthly. Should the State choose to collect production data from certified dealers, harvesters may be exempt from this requirement to avoid double counting. F. Harvesters shall notify the Authority within 24 hours and immediately implement measures as necessary to protect shellfish from contamination and loss of temperature control when shellfish that are or were in their possession are affected by events indicating a significant risk of illness or significant non-compliance with the requirements in this Ordinance, including: (1) Non-compliance with requirements for temperature control for which appropriate corrective action is not or cannot be taken; and (2) Spills of sewage, poisonous or deleterious substances, or other contaminants from the harvester's vessel into growing areas.
12. Public Health Significance	It is important that harvesters, dealers, and Authorities collaborate as necessary to ensure that shellfish affected by temperature control problems, cross-contamination, and similar situations that may have caused shellfish to become unsafe for consumption. This includes notification by harvesters and dealers to the

	state of these situations (unless the problem has already been corrected by the dealer, in which case notification is not necessary), so that the state can provide guidance to ensure that regulatory requirements are met and that shellfish are safe for consumers.
13. Cost Information	None (shellfish affected by these emergency events are already subject to existing requirements which ensure that unsafe product is controlled; this proposal merely adds that the Authority should be made aware of the situation)
14. Changes Needed to Guidance (if proposed change is adopted)	None